



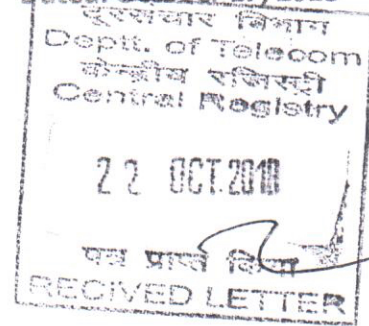
# Citizen Forum

(registration number- S-E/41/Distt. South-EAST/2013)

See CT 1 - Luvy  
355666 / JPC / cr / 211  
22/10/18

NO. CF/DoT/ 2018/002

Dated: October 17, 2018



President  
R.S.P.Sinha  
Former. C.M.D-MTNL

Vice President  
R.Ashok  
Former. Member  
Telecom Commission  
and TRAI

Secretary  
A.K.Chaturvedi  
Former. Advisor DOT

Treasurer  
Vikas Kumar  
Chartered Accountant

To  
Smt. Aruna Sundararajan,  
Secretary (Telecom),  
Department of Telecommunications,  
Ministry of Communications & IT,  
Sanchar Bhawan, Ashoka Road,  
New Delhi 110 001

**Subject: News reports on stoppage of Aadhaar based e-KYC process for obtaining mobile connections- regarding**

Dear Madam,

We are a consumer organization, representing the interest of telecom consumers in the country. We understand from the newspaper reports that the DOT is in the process of discontinuing the Aadhaar based e-KYC process for allotting mobile connections due to certain interpretation of the Hon'ble Supreme Court judgement dated 26<sup>th</sup> September 2018 on the Aadhaar Act.

We understand that the judgement is supportive of the voluntary use of Aadhaar number by willing customers and we request DOT to permit such usage and not take disturbing decisions like discontinuing the facility altogether. We would like to highlight that Aadhaar based authentication was one of the most forward looking decision taken by DOT for customer convenience and security and the current plans of revoking this process basis should be re-evaluated immediately. We submit that the e-KYC process was very beneficial to the customers as there was no requirement of carrying photograph, copies of proof of identity and proof of address for getting a mobile connections, thus obviating the possibility of misuse of these documents. The mobile connection was activated immediately and customer could walk back with an active SIM in 5 minutes flat. More importantly, since no copies of identity proof or address proof were required to be handed over to the retailer and no connection could be activated without biometrics, the customers were assured that his identity could not be misused in any manner for activating fraudulent or unauthorized connection in his name by any unscrupulous element.

Contd....

M(T)

22/10

Further this process was also supportive of digital and financial inclusion in rural and remote areas, especially for people who have Aadhaar as their only identity document. The Government's goals of 'Digital India', 'Digital payments' and 'less-cash' could be successfully pursued only on the strength of e-KYC process while taking care of security and traceability concerns at the same time. This also immensely helped in achieving paperless process saving precious environment and trees.

Given such plethora of benefits of e-KYC process, we are unable to understand the reason behind your intended action of scrapping the path breaking initiative undertaken by your Government. Such decision will take the consumers back to age of paper CAF based process that was prevalent before this e-KYC process was introduced. Needless to remind that the paper process was far from satisfactory and led to thousands of forgeries, personality theft, fake documents and mobile numbers being misused by anti-social elements. In addition to all these issues, there were interminable delays in activation of the mobile numbers. In some locations, it was not possible to get a mobile connection even for 7 days and in emergency the customers were forced to pay exorbitant amounts for a connection, that too not in their own name.

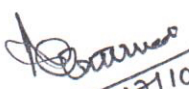
We bring to your kind attention that our organization represents that the tax-paying telecom users and we are aghast to understand that the Aadhaar infrastructure and database created from our hard-earned money, cannot be used to facilitate digital services even on voluntary basis. Contrary to the perception created by few, we submit that all telecom users were assured of their privacy with Aadhaar based process, rather than getting subjected to vagaries of the paper based CAF regime.

We submit that the Government should make all possible efforts to use this infrastructure and database, created at huge cost, to benefit all citizens effectively. We further submit that paper based processed should not be thrust upon the customers in case they are willing to use their data at their own volition in proven secure manner.

In view of the above, we request DOT to not cancel or revoke its order on Aadhaar e-KYC based customer verification and explore all possibilities so that this may be continued in compliance with the Hon'ble Supreme Court order and continue permitting the customers to avail mobile connections basis Aadhaar based e-KYC carried out on their own volition.

Thanking you,  
Yours sincerely,

for Citizen Forum

  
Secretary 13/10/2018







24X7 Toll Free Consumer Helpline: 1800-11-4424



An Aware Consumer is a Protected Consumer

www.consumerconexion.org

**BEJON KUMAR MISRA**

International Consumer Policy Expert

F-9, 2nd Floor, Kailash Colony, New Delhi 110048, INDIA  
Mobile: +91 9811044424, 9311044424 • Telefax: +91-11-40537140  
E-mail: bejonmisra@gmail.com; bejonmisra@consumerconexion.org

Date: 21<sup>st</sup> October 2018

Hon'ble Prime Minister of India  
Government of India  
New Delhi

*Hon'ble Pradhan Mantri, Greeting!*

*M(T)*

**Subject: Continuation of Aadhaar based e-KYC process- regarding**

1. Today, the telecommunication services are not only the means for seldom voice connectivity, but it plays a vital role in every aspect of consumers' life inter-alia including the financial services. Accordingly, bonafide use of the telecommunication services and ensuring the national security becomes very important.
2. To ensure bonafide use, various ways for authenticating subscribers prior to provision of services were adopted by Telecom Service Providers (TSPs) in compliance of the instructions issued by DOT from time to time.
3. Earlier for acquiring mobile connection, subscriber was required to provide Passport size photographs, photocopies of Proof of Identification (POI)/ Proof of Address (POA) documents, that too as per the list prescribed by DOT. Even after submitting all such documents, the mobile connection was activated about 6-7 days after applying for it. Apart from all such inconvenience, there were major concerns to consumers relating to fraudulent use of identity documents. The consumers residing in rural and remote areas also required to visit nearby town for photograph and to submit various documents to the retailer, which was very time consuming and painful.
4. Subsequently, after introduction of 'Aadhar', DOT vide its letter dated 16.08.2018 has permitted the use of Aadhar based e-KYC service of Unique Identity Authority of India (UIDAI) for issuing mobile connections to subscribers. This step of the DOT has helped the consumers as this method is most consumer friendly and at the same time, a robust and fool proof mechanism, as it verify the identity of the person electronically and instantly from the source itself, based on the biometrics of the person, hence there is no possibility of any fake/forged identity proof, manual entry into the system etc.

Page 1 of 3

Founder: The Partnership for Safe Medicines India • www.safemedicines.org • www.safemedicinesindia.in  
• Consumer Online Foundation • Consumer Guidance Society of Jamshedpur • Healthy You Foundation • www.jagograhaakjago.org  
Founder Chairman: Cell for Consumer Education & Advocacy (CCEA) Society • www.bijlidost.org  
Past Chairman: Consumer Coordination Council • www.core.nic.in • Former Member: Food Safety & Standards Authority of India • www.fssai.gov.in  
Member: Consumer Complaints Council (CCC) of The Advertising Standards Council of India • www.ascionline.org

Rural Nodal Office: Village Pureshukalan, P.O. Shukul Bazaar, Distt. Amethi-227811, (Uttar Pradesh) INDIA  
Tel./Fax: 05361-268221, 268421, 09415068402 • www.consumerpanchayat.org



5. The Aadhar based authentication process has also helped the consumers residing in rural and remote places, as a representative of TSP visiting to a village completes several e-KYC of consumers, without any need for consumers to arrange critical POI/POA documents and photograph. The mobile connection also gets activated immediately.
6. However, recently we received complaints from several consumers that their TSPs are threatening to deactivate their mobile connection and asking them to perform fresh KYC. TSPs have also stopped using Aadhaar based authentication for the purpose of issuance of new SIM cards and again resorted to old cumbersome process asking for Passport size photographs, photocopies of POI/ POA documents (as per the list prescribed by DOT).
7. This is very alarming issue for telecom consumers. Closure of Aadhaar based authentication process will surely deny and adversely impact connectivity of subscribers residing in rural and remote areas. It is humbly submitted that in rural and remote areas there are many consumers who are not having photographs, prescribed POI/POA documents. They only have Aadhaar as proof of POI and POA.
8. Aadhar based authentication is not only useful for rural and remote area consumers but it is required for urban consumers as well. In this era of digitalization, wherein mobile number itself is acting akin to identity of a person for financial services, authentication through Aadhar number and consumer's biometric is the best way of authenticating identity to avoid any possibility of misuse. There should not be any reason that a person cannot use such an important document as his/her proof of POI/POA.
9. The consumers approached us and we learnt that in the Aadhaar case, Hon'ble Supreme Court has delivered its judgment on 26th September 2018. Vide which, Hon'ble Court has declared that portion of Section 57 of the Aadhaar Act as unconstitutional, which enables body corporate and individual to seek authentication. It is also learnt that subsequent to the judgment of Hon'ble Supreme Court, UIDAI vide its letter dated 1<sup>st</sup> October 2018 communicated to all TSPs that the telecommunication service providers (TSPs) neither can continue using Aadhaar number for the purpose of issuance of new SIM cards nor for the re-verification of existing subscribers.
10. We have deliberated this issue and submit that the Hon'ble Supreme Court has struck down the DoT Circular dated 23rd March 2017, which make it mandatory to re-verify all existing mobile telephone numbers with Aadhaar card number. However, the Hon'ble Supreme Court has not struck down the circular dated 16th August 2016 which is voluntary in nature. Further, Hon'ble Supreme Court has not denied voluntary use of Aadhar as it held in para 367 that ".....If such a person voluntarily wants to offer Aadhaar card as a proof of his/ her identity, there may not be a problem."

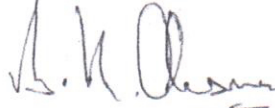


11. Denial of voluntary use of Aadhaar based authentication services violates rights of a consumer. Further, not permitting use of Aadhaar based subscriber verification will take the telecom industry back to the era of paper based CAF processes with associated concerns of forgeries, faked documents, fake identity, gravely jeopardizing the interests of national security as well as environment. As mentioned above, it will also have the impact of denying connectivity of unconnected rural masses.

12. In view of all the above, we sincerely request on behalf of telecom consumers that the Government should allow consumers to continue use of Aadhaar based authentication, if consumer wishes to do so. In this regard, in case any amendment in the Act is required or any new rules/ regulations are required to be framed by the Government, then to protect interest of masses, the same may be done giving highest priority to this matter.

*With warm regards,*

Yours sincerely,



Prof. Bejon Kumar Misra

Copy to:

1. Shri Manoj Sinha, Hon'ble Minister of State (IC) Government of India MOC
2. Shri Ravi Shankar Prasad, Hon'ble Minister of Electronics and IT & Minister of Law and Justice, Government of India
3. CEO, UIDAI
4. Chairman, Telecom Regulatory Authority of India

5. *Chairman Telecom Commission & Secretary (T)*



Government of India  
Ministry of Communications  
Department of Telecommunications  
(Access Services Wing)

12<sup>th</sup> Floor, Sanchar Bhawan, 20 Ashoka Road, New Delhi – 110 001

File No: 800-26/2016-AS.II

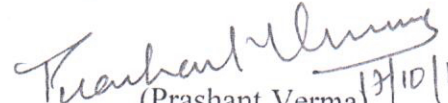
Dated: 17.10.2018

Meeting Notice

**Subject: Hon'ble Supreme Court Judgment & order dated 26.09.2018 in W.P. (C) 494/2012 {Justice KS Puttaswamy (Retd) & Anr. V/s UoI & Ors.} and connected matters – reg.**

A meeting is hereby scheduled under the Chairmanship of **Secretary (Telecom)** on **17.10.2018 at 05:30 PM** in Committee Room, 2<sup>nd</sup> Floor, Sanchar Bhawan, New Delhi regarding the issues related to usage of Aadhaar/Aadhaar E-KYC process in compliance to the above mentioned judgment of Hon'ble Supreme Court.

2. It is requested to kindly make it convenient to attend the meeting.

  
(Prashant Verma) 17/10/18

**ADG (AS-II)**

Tele No.: 011-23354042/23036580

To,

- (1) CMD, BSNL/MTNL.
- (2) CEOs of all Telecom Service Providers.

Copy to:

- (1) Sr. PPS to Secretary (T).
- (2) Sr. PPS to Member (T).
- (3) PS to DDG (AS).
- (4) SO (G-II), DoT
- (5) AE (Eud: I)/AE (AC), DoT
- (6) Canteen Manager, DoT - for arrangement of tea, water & biscuits for 20 persons.



**F. No. K- 11022/741/2018-UIDAI (Auth-II) | 1807**  
**Government of India**  
**Unique Identification Authority of India**  
**(Authentication Division)**

UIDAI Headquarters, Bangla Sahib Road,  
 Behind Kali Mandir, Gole Market,  
 New Delhi – 110001

Dated: 16 October, 2018

To,

Sh. Prashant Verma,  
 ADG (AS-II)  
 Ministry of Communications  
 Department of Telecommunications  
 (Access Services Wing), 12<sup>th</sup> Floor,  
 Sanchar Bhawan, 20, Ashoka Road,  
 New Delhi – 110001

**Sub: Discontinuation of Use of 'Aadhaar' e-KYC service of 'Unique Identity Authority of India (UIDAI) for issuing new mobile**

- Ref: 1. Draft Circular bearing No. File No: 800-26/2016-AS.II**  
**2. Supreme Court of India in W.P. (Civil) 494 / 2012.**

Please refer to your letter dated 03.10.2018 enclosing Ref 1 as above wherein DoT has requested views/comments on the draft instructions to be issued by DoT to Telecom Service Providers (TSPs).

2. In this regard, opinion of Ld. Attorney General was sought by UIDAI on interpretation of Hon'ble Supreme Court judgment (copy enclosed). As per his opinion, Licensees may also accept Physical Aadhaar/e-Aadhaar/masked Aadhaar/ Aadhaar XML as POI and POA, if offered voluntarily by the SIM card applicants (copy enclosed). Accordingly, the draft instructions letter has been revised.

3. This issues with the approval of the competent Authority.

  
 (Deepali Sharma)  
 Assistant Director General

Encl:

1. Revised draft instruction letter
2. Copy of opinion sought from Ld. AG by UIDAI
3. Opinion of Ld. AG



Government of India  
Ministry of Communications  
Department of Telecommunications  
(Access Services Wing)

12<sup>th</sup> Floor, Sanchar Bhawan, 20 Ashoka Road, New Delhi – 110 001.

File No: 800-21/2015-AS.II

Dated: 12.10.2018

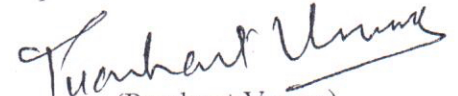
Meeting Notice

**Subject: Digitization of Subscriber Verification Process -reg**

Subsequent to the Hon'ble Supreme Court judgment dated 26.09.2018 on Aadhaar, the Telecom Industry is proposing some changes in Proof of Identity/Proof of Address (POI/POA) based subscriber verification process. The reference received from Cellular Operators Association of India (COAI) is enclosed for reference.

2. A presentation by COAI on digitization of subscriber verification process is hereby scheduled on 15.10.2018 at 15:00 PM in Conference Hall, 13<sup>th</sup> Floor, Sanchar Bhawan, New Delhi.

3. It is requested to kindly make it convenient to attend the presentation.


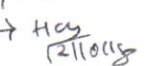
  
(Prashant Verma)

Assistant Director General (AS-II)  
Tele No. 011-23036580

To,

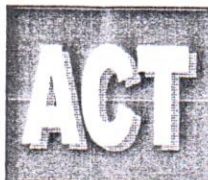
1. Director (CIS-II), MHA North Block, New Delhi
2. Director General, COAI, New Delhi.
3. All CMTS/UASL/ UL (having Access Service Authorization) Licensees.

Copy to:

1. Sr. PPS to Member (T)  12/10/18
2. PS to DDG (AS). →  12/10/18

Pg 10  
10-10-2018  
DDG (AS)

M(T)

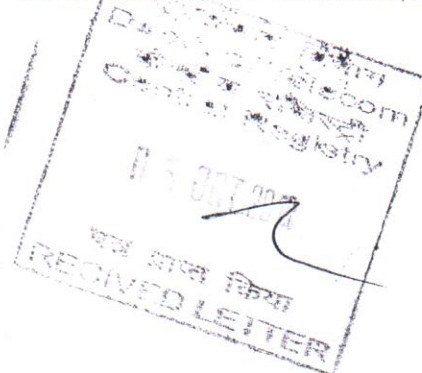


**Apex Advisory Council for Telecom in India**

14 Bhai Veer Singh Marg, New Delhi-110001; Tel: +911123349275; Fax: +911123349276/77; E-mail: [act@coai.in](mailto:act@coai.in)

ACT/2018/033  
October 05, 2018

**Smt Aruna Sundararajan, IAS**  
Secretary, DoT & Chairman, TC,  
Department of Telecommunications  
Sanchar Bhawan,  
20 Ashoka Road  
New Delhi – 110 001



108/c  
Secy CTJ security  
352702/SPC/cr  
05/10/18

**Subject: Digital Processes for E-KYC of Mobile Subscribers**

**Reference: DoT Instruction No: 800-09/2010-VAS (Part) dated August 24, 2015**

Dear Madam,

1. We thank the Government for harnessing digital technologies and platforms to reach the unserved markets and to unlock productivity. It is now well recognized that Government's initiatives towards digital infrastructure and services are emerging as key enablers for the country's growth.
2. In line with the above, the industry has over the last few years migrated into digital mode of authentication and invested heavily in adopting digital processes for ensuring expeditious, robust and digital (paperless) subscriber verification processes. The digitalization of authentication processes has led to connectivity being easily delivered to even the remotest locations, resulting in immense socio economic benefits to Indian citizens.
3. Post the judgment of the Hon'ble Supreme Court on the Aadhaar Act and also instructions received by our member operators from UIDAI, return to paper based processes should not be an option as that will reverse the steps taken by the industry towards a Digital India and would result in wastage of existing investments and infrastructure. Unlike digital roll out, any move back to any non-digital or paper based system at such scale and for such large reach will take years and will also adversely impact broadband and telecom growth, more so in villages and remote corners of the country.
4. In light of the above, we are proposing minor modifications to the DoT guidelines dated August 24, 2015 allowing the CAF to be embedded with photograph and scanned images thereby Digitize the end to end process for on boarding of new subscribers by making it completely paperless. This modified process is enclosed as Annexure – 1. We request you to issue this process formally at the earliest so that the TSPs are able to roll this out and not put customers to any inconvenience due to closure of Aadhaar based e-KYC.

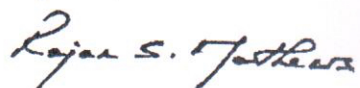
Dix (AS-II) (on leave)  
ADCLAS-II

TILKID



We hope that our submissions will merit your kind consideration. We also expect an early forward response

Regards,



**RAJAN S. MATHEWS**  
**DIRECTOR GENERAL – COAI**

**Email id:** [rsmathews@coai.in](mailto:rsmathews@coai.in)  
**Mobile No.:** +91 99994 73700

SUGGESTED MODIFICATIONS TO DOT GUIDELINES DATED AUGUST 24, 2015

SL. NO.	DoT GUIDELINES DATED AUGUST 24, 2015	SUGGESTED MODIFICATIONS
a	The entries of various fields in Customer Application Form (CAF) shall be made electronically instead of manual writing.	The entries of various fields in Customer Application Form (CAF) shall be made electronically on the TSP App and visible thru embedded POA/POI on CAF Sr. No. 1, 2, 3, 5, 7, 8, 11, 12, 15, 21, 22 + POA and POI number only – Will be entered by the PoS Sr. No. 18, 19, 26 – Will be entered by the PoS, wherever applicable (Outstation or MNP cases). Sr. No. 4, 6, 9, 10 – Will be as per embedded Pol, PoA. Sr. No. 23, 24, 25 – will be auto-populated.
b	The photograph of the customer shall be taken at Point of Sale (PoS) itself and the same shall be populated in the CAF instead of pasting the photo in the existing process.	The live photograph of the customer shall be taken at Point of Sale (PoS) itself (TSPs to ensure that it is a Live customer photo with all system restrictions/validations to ensure that this photo cannot be copied/reused; this may include capturing GPS coordinates while photo capture, water marking photo and assigning unique TSP code) and the same shall be populated in the CAF on the App.
c	The scanned images of the Proof of Identity (Pol) and Proof of Address (PoA) documents furnished by the customer shall be embedded in the CAF instead of making entries at serial no. 5, 9 and 10 in CAF annexed with the instructions dated 09.08.2012. However, all entries including those corresponding to serial no. 5, 9 and 10 of CAF are to be made in the Subscriber database of the Licensee.	The photograph of Pol and PoA (original or self-attested copy) shall be taken (system will put a water mark including Name of the Company along with PoS name, Circle, Date and Time on photos so that the photos cannot be re-used) and embedded in the CAF.
d	The print out of the filled CAF shall be taken at PoS and thereafter the same procedure as is followed in the case of existing process issued vide letter dated 09.08.2012 as amended from time to time shall be followed.	The PoS shall provide necessary declaration and will submit the CAF. For this purpose, PoS shall receive an OTP, OTP shall be entered and validated, upon successful OTP validation, it shall be treated as PoS signature.  Similarly for customer declaration, OTP shall be sent to customer's alternate



# ANNEXURE - 1

	<p>number, OTP shall be entered and validated, upon successful OTP validation, it shall be treated as customer signature.</p> <p>Post submission of activation request at POS, the information shall reach TSP back end (Centralized or de-centralized), where the information entered by PoS and information available in CAF, Pol and PoA shall be verified. Upon successful verification the mobile number will become hotlined (ready to call tele-verification number)</p> <p>(This step is crucial to limit any liability on the TSP's since PoS may enter inappropriate values and without validation the number can get into tele-verification / activation stage.)</p> <p>As additional safeguard, system will also verify that the geotag of customer's picture &amp; final submission of request by PoS is not more than 50 meters away.</p> <p>TSP generated 5 digit PIN will be sent to an alternate number (which will be a mandatory field) provided by the customer.</p> <p>The customer will dial the IVR for tele-verification. Customer shall get two options to tele-verify themselves:</p> <ol style="list-style-type: none"> <li>Request to tele-verification through PIN - After entering the PIN number, the number will get activated.</li> <li>Request to tele-verification through last 4 digits of Pol - After entering the last 4 digits of Pol number, the number will get activated.</li> </ol> <p>Note: Unless tele-verified, the subscriber is not able to make any type of call, except to the operator/ IVR.</p> <p>Digital CAF is created and stored in system along with Customer Live photo and POA/POI copy.</p>
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01 OCT 2018

F. No. K-11022/741/2018-UIDAI (Auth-II)  
Government of India  
Ministry of Electronics and Information Technology  
Unique Identification Authority of India

UIDAI Headquarters,  
Bangla Sahib Road,  
Behind Kali Mandir,  
Gole Market,  
New Delhi – 110001

DDG (AS)

Dated: 01 October, 2018

**Subject:** Discontinuation of Aadhaar based e-KYC  
**Ref:** Aadhaar Judgment dated 26.09.2018 passed by the Hon'ble Supreme Court of India in W.P. (Civil) 494 / 2012.

Dear All,

As you may be aware that the constitutional bench of the Hon'ble Supreme Court on 26.09.2018 upheld the constitutional validity of the Aadhaar Act, 2016 and the Regulations framed thereunder. However, the Hon'ble Supreme Court said that Aadhaar services cannot be used for certain services like acquiring and verifying mobile connections.

2. The Hon'ble Supreme Court at page 521 of its judgment, presented its opinion on the Circular dated 23.03.2017 issued by the Department of Telecommunications (DoT) while observing that *"not only such a circular lacks backing of a law, it fails to meet the requirement of proportionality as well. It does not meet 'necessity stage' and 'balancing stage' tests to check the primary menace which is in the mind of the respondent authorities. There can be other appropriate laws and less intrusive alternatives. For the misuse of such SIM cards by a handful of persons, the entire population cannot be subjected to intrusion into their private lives. It also impinges upon the voluntary nature of the Aadhaar scheme"*. Accordingly, the Court found the Circular to be disproportionate and unreasonable state compulsion and declared the Circular as unconstitutional.

4. It is understood on this basis that neither can the Telecommunication Service Providers (TSPs) continue using Aadhaar number for the purpose of issuance of new SIM cards nor for the re-verification of existing SIM cards under DoT's Circular dated 23.03.2017.

5. In view thereof, all TSPs are called upon to immediately take actions in order to comply with the Judgment dated 26.09.2018. In this regard, TSPs are hereby directed to submit by 15<sup>th</sup> October, 2018, an action plan/exit plan to the Authority for closure of use of Aadhaar based authentication systems which shall include without limitation, the aspects enumerated under

Dir (AS-II)

*[Signature]*  
17/10/18

*[Signature]*




Regulation 23(2) of the Aadhaar (Authentication) Regulations, 2016. If the Authority does not receive any communication to this effect within the stipulated timeline, the authentication services shall be terminated without any further notice.

6. Additionally, all TSPs shall take immediate cognizance of the request for de-linking Aadhaar with mobile number as and when such requests are received from its subscribers and may take appropriate action to perform fresh KYC as per the DoT approved list of proof of identity and proof of address within 6 months from the date of such request to avoid de-activation of the mobile number. All TSPs shall immediately notify their customers the facility of delinking their Aadhaar number and UID Token from their database and establish a system to accept and process such requests for delinking. The process of delinking should form the part of the exit plan mentioned in para 5.

7. It may be noted that TSPs may be liable for contempt of court for any non-compliance.

8. This issues with the approval of the competent Authority.



(JS Verma)

Deputy Director (Auth)

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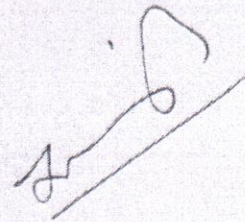
Smt Aruna Sundararajan  
Secretary, Department of Telecommunications  
Ministry of Communications  
Sanchar Bhawan 20, Ashoka Road, New Delhi 110001

To,

1. Shri. Gopal Vittal, CEO  
Bharti Airtel Limited  
India & South Asia, Airtel Centre, Plot No. 16, Udyog Vihar, Phase-IV,  
Gurgaon-122015 (Haryana)
2. Shri. Anupam Shrivastava, CEO  
Bharat Sanchar Nigam Limited  
Bharat Sanchar Bhawan, SC Matura Lane, Janpath, New Delhi-110001



3. Shri. P.K. Purwar, CMD  
Mahanagar Telephone Nigam Limited  
Mahanagar Sanchar Sadan, 9 CGO Complex, Lodhi Road, New Delhi-110003
4. Shri. Sanjay U. Mashruwala, Managing Director & Director  
Reliance JioInfocom Limited  
Reliance Corporate Park, MAB, 1<sup>st</sup> Floor, Thane Belapur Road Navi Mumbai,  
Maharashtra-400701
5. Shri. Srinath Narasimhan, CEO  
Tata Teleservices Limited  
2A, Old Iswar Nagar, Main Mathura Road, New Delhi 110065
6. Shri. Balesh Sharma, CEO  
Vodafone Idea Limited  
Peninsula Corporate Park Hutch House,  
A&B Ganpat Rao Kadam Marg, Lower Parel, Mumbai 400013
7. Shri. Bala Malladi, CEO  
Atria Convergence Technologies Pvt. Ltd  
2nd & 3rd Floor, Indian Express Building No.1, Queens Road, Bangalore-560001





Government of India  
Ministry of Communications  
Department of Telecommunications  
(Access Services Wing)

12<sup>th</sup> Floor, Sanchar Bhawan, 20 Ashoka Road, New Delhi – 110 001

File No: 800-26/2016-AS.II

Dated: 03.10.2018

To,

The Chief Executive Officer  
Unique Identification Authority of India,  
Bangla Sahib Road, Behind Kali Mandir,  
Gole Market, New Delhi- 01.

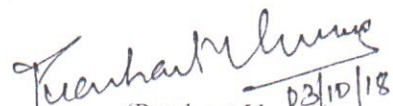
**Subject: Discontinuation of Use of 'Aadhaar' e-KYC service of Unique Identity Authority of India (UIDAI) for issuing new mobile connections and re-verification of existing subscribers- reg.**

Hon'ble Supreme Court, vide its final judgment and order dated 26.09.2018 in W.P. (C) 494/2012 {Justice KS Puttaswamy (Retd) & Anr. V/s UoI & Ors.} and connected matters, has upheld the constitutional validity of Aadhaar Act, 2016. In respect of the issues related to Department of Telecom (DoT), the Hon'ble Supreme Court has declared the circular dated 23.03.2017 issued by DoT regarding re-verification of existing mobile subscribers through Aadhaar based E-KYC process, as unconstitutional and accordingly, set aside the same. Further, the Hon'ble Supreme Court has made certain observations in its judgment regarding the usage of Aadhaar/authentication performed using E-KYC service of UIDAI and also set aside some of the clauses/struck down some of the portion of clauses of Aadhaar Act and Aadhaar Regulations, 2016.

2. In order to necessary compliance to the judgment of Hon'ble Supreme Court on Aadhaar, the Department of Telecom is of the opinion that Telecom Service Providers (TSPs) may discontinue the use of 'Aadhaar' e-KYC service of UIDAI for issuing new mobile connections and re-verification of existing subscribers with immediate effect. Further, TSPs may also discontinue accepting the Aadhaar Card/e-Aadhaar as PoI/PoA documents and delete the column for writing Aadhaar number on CAF (an optional entry) in paper CAF based process with immediate effect. The draft instructions in the matter to be issued to TSPs are attached for reference.

3. It is requested to kindly offer views/comments on the draft instructions and also advice on next steps in the matter, if any, for DoT, for necessary compliance to the judgment of Hon'ble Supreme Court.

Encl.: As above.

  
(Prashant Verma)  
Assistant Director General (AS-II)  
Tele No.: 011-23036580



103/c.

Government of India  
Ministry of Communications & IT  
Department of Telecommunications  
(Access Services Cell)  
Sanchar Bhawan, 20 Ashoka Road  
New Delhi - 110 001.

No.:800-29/2010-VAS

Dated 14.01.2011


All Basic Service, CMTS, UAS Licensees

Sub: Use of 'Aadhaar' the Unique Identification Number issued by Unique Identity Authority of India as Pol/ PoA

Please refer to the instruction No. 842-725/2005-VAS (Pt.) dated 07.10.2009 regarding documents for mobile subscriber verification. In this regard, it has been decided that the 'Aadhaar' the Unique Identification Number issued by Unique Identity Authority of India (UIDAI) shall be treated as valid Proof of Identity (Pol) and Proof of Address (PoA) for purpose of obtaining new connection.

The Aadhaar shall be taken as valid Pol/PoA after details of identity and address are confirmed through Aadhaar authentication procedure. For this purpose detailed guidelines including the activation procedure shall be issued in due course of time. After implementation of the Aadhaar authentication procedure it can be used as valid Pol/PoA in J&K, Assam and North East Service areas also.

Till the time of issues of detailed procedure for Aadhaar authentication, the letter issued by UIDAI conveying the name, address and Aadhaar number may be used as Pol/PoA document in addition to documents mentioned in this office letter dated 07.10.2009.

  
(Vinod Kumar)  
Director (AS-II)

Copy to:

1. Secretary, TRAI
2. Director General & Mission Director, UIDAI, New Delhi
- ✓ 3. DDG (Security-TERM), DOT
4. COAI/AUSPI.

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Pl endorse to TEAM Cell.  
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At Once

Government of India  
Ministry of Communications & IT  
Department of Telecommunications  
(AS Cell)

Sanchar Bhawan, 20 Ashoka Road, New Delhi - 110 001.

File No: 800-09/2010-VAS

Dated: 16.10.2014

All CMTS/ UAS/UL(AS)/UL Licensee(s)

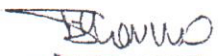
Subject: Collecting Aadhaar numbers alongwith Customer Acquisition Form (CAF) of mobile telephone applications and storing the same in the database along with other data by telecom service operators.

It has been decided to collect 'Aadhaar Number' along with Customer Application Form (CAF) of mobile telephone applications and store the same in the database along with other data.

2. Accordingly, 'Aadhaar Number' may be made part of CAF on the top, below "Unique Customer Application Form (CAF) No" and above "Type of Connection" in the CAF format enclosed with the instructions issued vide letter no. 800-09/2010-VAS dated 09.08.2012 wherever 'Aadhaar Number' is not available, it may be mentioned as "Not available".

3. It will be applicable in all cases irrespective of the fact that mobile connection is issued by taking Aadhaar Card or any other document as proof of identity and proof of address.

4. This shall come into effect immediately. Access Service Providers should amend their database for adding 'Aadhar Number' within a time period of two months. In the amended database, the 'Aadhar Number' of mobile connections given in the meantime should be added in a period of one week thereafter. 'Aadhar Number' of mobile connections given after amendment of database should be added along with all the other data of subscriber in the database before activation of mobile connection as per the instructions issued vide letter no. 800-09/2010-VAS dated 09.08.2012.

  
(P.C. Sharma)  
Director (AS-II)

Copy to:

1. Sr. DDG (TERM), DoT, New Delhi
2. All DDGs TERM
3. DDG (LF-I)/ DDG (LF-II)/ DDG(A/C), DoT, New Delhi
4. Director(AS-I)/Director(AS-III)/Director (AS-IV)/ Director (AS-V), DoT
5. COAI/ AUSPI



At Once

Government of India  
Ministry of Communications & IT  
Department of Telecommunications  
(AS Cell)

Sanchar Bhawan, 20 Ashoka Road, New Delhi - 110 001.

File No: 800-09/2010-VAS

Dated: 29.12.2014

All CMTS/ UAS/UL(AS)/UL Licensee(s)

**Subject:** Collecting Aadhaar numbers alongwith Customer Application Form (CAF) of mobile telephone applications and storing the same in the database along with other data by telecom service operators.

**Ref1:** Apex Advisory Council for Telecom in India letter dated 11.11.2014.

**Ref2:** This office letter of even number dated 16.10.2014.

Vide this office letter dated 16.10.2014, instruction were issued by this office to all the Telecom Access Service Providers for collecting Aadhaar numbers alongwith Customer Application Form (CAF) of mobile telephones and storing the same in the database along with other data by telecom service operators. The Apex Advisory Council (ACT) of India vide letter dated 11.11.2014 had sought certain clarifications from this office on the letter dated 16.10.2014. After considering the letter of ACT, comprehensive instructions, including the provisions contained in this office letter dated 16.10.2014, are provided in the following paragraphs. These instructions shall be applicable from 16.10.2014 when first letter was issued.

2. 'Aadhaar Number' of the subscriber desirous of taking new mobile connection shall be captured by Telecom Access Service Providers in the CAF format, enclosed with the instructions issued vide letter no. 800-09/2010-VAS dated 09.08.2012, on the top, below the field "Unique Customer Application Form (CAF) No" and above the field "Type of Connection". Wherever 'Aadhaar Number' is not available, it shall be mentioned as "Not available". It will be applicable in all cases irrespective of the fact that mobile connection is taken the subscriber either by providing Aadhaar Card or any other document as proof of identity and proof of address.
3. The Telecom Access Service Providers should get the CAF format amended as above and replace all the inventory of existing CAF in their supply chain with the amended CAF. It shall be done within a maximum time period of 3 months from the issue of instructions dated 16.10.2014. In the meantime, they shall capture the Aadhaar number either handwritten on top of their CAFs or at exiting field, if any, for UID number in middle of the form. In the amended CAF, the existing field number 17 shall be amended to 'PAN/GIR number' in the CAF format enclosed with this office instructions dated 09.08.2012.



Government of India  
Ministry of Communications & IT  
Department of Telecommunications  
(Access Services Wing)

Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001

File No: 800-29/2010-VAS

Dated: 11.07.2016

To

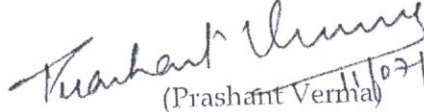
All CMTS/USAL/UL(AS)/UL (having Access Service Authorization) Licensee (s)  
[Except Assam, North East and J&K Licensed Service Areas]

Subject: Acceptance of e-Aadhaar as a valid Proof of Identity/Proof of Address  
(PoI/PoA) document for issuing mobile connection -regarding

It has been decided by the Competent Authority that the e-Aadhaar letter (downloaded version of Aadhaar card from UIDAI website) may be treated as a valid Proof of Identity/Proof of Address (PoI/PoA) document for issuing mobile connection subject to the condition that, the authorized person at the Point of Sale (PoS) shall verify the details mentioned in prospective customer's e-Aadhaar letter (Name, address, date of birth, gender) from UIDAI at the time of issuance of SIM card.

2. The authorized person at PoS shall also record, a declaration on the printed copy of e-Aadhaar letter, with his/her name, signature, date, PoS code and PoS stamp containing address, stating that he/she has seen the customer and matched the details of the customer (Name, address, date of birth, gender) mentioned in e-Aadhaar letter with the details received from UIDAI. The e-Aadhaar letters attached with CAF, not bearing such declaration by the authorized person at PoS, will not be accepted as valid PoI/PoA.

3. All other instructions issued by the Department in subscriber verification process shall remain the same.

  
(Prashant Verma) 11/07/2016  
ADG (AS-II)

Copy to:

1. The Director General, UIDAI for kind information please.
2. Sr. DDG (TERM), DoT for kind information and necessary actions please.
3. All DDsG TERM Cells for kind information and necessary actions please.
4. Director (IS-I), MHA for kind information.
5. Director (AS-I)/Director (AS-III)/Director (AS-IV)/Director (AS-V).
6. Director (IT) for uploading on DoT website under "Access Services - Subscriber verification" head.
7. COAI/ASUPI.



**Government of India  
Ministry of Communications  
Department of Telecommunications  
(Access Services Wing)**

**12<sup>th</sup> Floor, Sanchar Bhawan, 20 Ashoka Road, New Delhi – 110 001**

**File No: 800-26/2016-AS.II**

**Dated: 21.03.2018**

**To**

**All Unified Licensees (having Access Service Authorization)/ Unified Access Services Licensees/ Cellular Mobile Telephone Service Licensees.**

**Subject: Re-verification of mobile subscribers through Aadhaar E-KYC process regarding extension of last date of re-verification.**

This is with reference to the instructions issued by this office letter of even number dated 23.03.2017 & 20.12.2017 regarding re-verification of mobile subscribers through Aadhaar based E-KYC process & extension of last date of re-verification.

2. Hon'ble Supreme Court, vide its order dated **13.03.2018** in W.P. (C) 494/2012 {Justice KS Puttaswamy (Retd) & Anr. V/s UoI & Ors.} and connected matters (copy enclosed), has inter-alia, directed that:

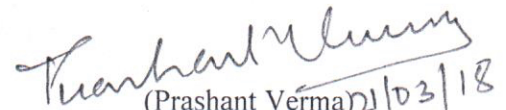
*".....we direct that the interim order passed on 15.12.2017 shall stand extended till the matter is finally heard and the judgment is pronounced. That apart, the directions issued in the interim order shall apply as stated in paragraphs 11 to 13 in the said order....."*

3. In compliance to above directions of Hon'ble Supreme Court, the undersigned is directed to convey the approval of competent authority that last date of re-verification of existing mobile subscribers through Aadhaar based E-KYC process as mentioned in instructions dated 20.12.2017 i.e., 31.03.2018, is further extended till the matter is finally heard and the judgment is pronounced by the Hon'ble Supreme Court.

4. Accordingly, any communications/voice messages/SMSs, which are to be sent by the Licensees to their mobile subscribers regarding re-verification of mobile connections through Aadhaar based E-KYC process, shall not contain any last date for re-verification.

5. These directions shall be complied with immediate effect.

Encl.: As above.

  
(Prashant Verma) 21/03/18  
**ADG (AS-II)**

**Copy to:**

1. Secretary, TRAI, New Delhi.
2. CEO, UIDAI, New Delhi.
3. DG (T) HQ, DoT, New Delhi.
4. Advisor(s)/Sr DDG(s) of TERM LSAs.
5. JS (IS-I), MHA, North Block, New Delhi.
6. COAI.



Government of India  
Ministry of Communications  
Department of Telecommunications  
(Access Services Wing)

12<sup>th</sup> Floor, Sanchar Bhawan, 20 Ashoka Road, New Delhi – 110 001

File No: 800-26/2016-AS.II

Dated: 20.03.2017

To

All Unified Licensees (having Access Service Authorization)/ Unified Access Services Licensees/ Cellular Mobile Telephone Service Licensees.

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(Prashant Verma)  
ADG (AS-II)

Copy to:

1. Secretary, TRAI, New Delhi.
2. CEO, UIDAI, New Delhi.
3. DG (T) HQ, DoT, New Delhi.
4. Advisor(s)/Sr DDG(s) of TERM LSAs.
5. JS (IS-I), MHA, North Block, New Delhi.
6. ACT/COAI.